

**MINUTES OF REGULAR MEETING
OPEN SESSION
July 13 and 14, 2010
ILLINOIS GAMING BOARD
CHIAGO, ILLINOIS**

NOTE: ITEMS IN **BOLDFACE PRINT** REFLECT OFFICIAL BOARD ACTIONS

On Tuesday, July 13, 2010 a Special Meeting of the Illinois Gaming Board (“Board”) was held on the 3rd floor at 160 N. LaSalle, Chicago, Illinois.

On Tuesday, July 13, 2010 at approximately 9:40 A.M. the following Board members were present: Chairman Jaffe, members Charles Gardner, Eugene Winkler, Joseph Moore and James Sullivan. At 9:48 A.M. on Tuesday, July 13, 2010, Chairman Jaffe called the meeting to order. Pursuant to Section 2(c), paragraphs (1), (4), (14) and (21) of the Open Meetings Act and Section 6(d) of the Riverboat gambling Act, member Gardner moved that **the Board retire to Closed Session to discuss the items listed under Closed Session on today's agenda and relating to the following subject matters:**

- 1. Closed Session minutes;**
- 2. Evidence and testimony presented in disciplinary hearings;**
- 3. Investigations concerning applicants and licensees; and**
- 4. Personnel matters.**

Member Sullivan seconded the motion. The Board approved the motion unanimously by voice vote. The Board recessed at 11:46 A.M.

On Wednesday, July 14, 2010 the meeting reconvened at 9:45 A.M. Present were the following Board Members: Chairman Jaffe, Members Charles Gardner, Eugene Winkler, James Sullivan and Joseph Moore.

The Board remained in Closed Session until approximately 9:55 A.M. The Board recessed and then went into open session at 10:11 A.M. Present were the following Board Members: Chairman Jaffe, Members Charles Gardner, Eugene Winkler, James Sullivan and Joseph Moore.

APPROVAL OF MINUTES -

Member Gardner moved that **the Board approved the open session minutes of its Regular Meeting of June 23, 2010.** Member Sullivan seconded the motion. The Board approved the motion unanimously by roll call vote.

ADMINISTRATOR'S COMMENTS -

Administrator Ostrowski stated that there will be a Special Board Meeting for public commentary on video gaming rules on July 20, 2010 at 10:00 A.M. If anyone is interested in commenting, please forward all requests to the Illinois Gaming Board via Mary Boruta at Mary.Boruta@igb.illinois.gov.

OWNER LICENSEE ITEMS –

- Items for Initial Consideration – Harrah's Metropolis – Digital Surveillance

Legal Counsel Tim Lambert of Harrah's Metropolis appeared before the Board requesting initial consideration for digital surveillance at Harrah's Metropolis with a cost in excess of \$1M. Member Gardner asked if the digital surveillance is similar to the surveillance at Harrah's Joliet and Mr. Lambert replied that a list of the similarities between Harrah's Joliet and Harrah's Metropolis will be sent to the Administrator.

- Items for Final Action –
 - Empress Casino – Joliet – License Renewal

General Manager of the Empress Casino, Jon Johnson, appeared before the Board and staff.

Administrator Ostrowski asked Mr. Johnson if the strike with the Union's workforce would affect the pavilion opening in December, 2010. Mr. Johnson stated that at the present time there would be no effect but if the strike goes on for any length of time the pavilion opening would be affected.

Member Gardner stated that the on-going spending rate for minority entities is troubling. Mr. Johnson stated that the amounts have dropped off due to the loss of the operation of the pavilion; once the pavilion is up and running the numbers will rise.

Member Gardner stated that there appears to be a down-ward trend in the employee hiring population. The percentages show there is a decline in minority employment. Mr. Johnson stated that the percentages vary from points in time; they do vary at different periods of time and is confident that the percentages will improve. Mr. Johnson stated that the areas in managerial and professional are very diverse. These two areas will improve over time.

Based on a review of staff's investigation and recommendation, Member Winkler moved that **the Board approve the Owner's License of the Empress Casino Joliet Corporation for a term of 4 years expiring in July 2014.**

Further, Member Winkler moved that **the Board certify and approve the following entities, positions and persons as Key Persons of the Empress Casino Joliet Corporation:**

- 1. Penn National Gaming, Inc.;**
- 2. Argosy Gaming Company Inc.;**
- 3. FIF V PFD LLC;**
- 4. Peter M. Carlino;**
- 5. Timothy Wilmott;**
- 6. John Finimore;**
- 7. Wesley Edens;**
- 8. Kyle Martin; and**
- 9. Gregg Hart.**

Member Moore seconded the motion. The Board approved the motion unanimously by roll call vote.

OCCUPATIONAL LICENSEES APPROVAL & DENIAL – LEVEL 2s & 3s

- Based on staff's investigation and recommendation, Member Moore moved **that the Board approve 21 applications for an Occupational License, Level 2, and 63 applications for an Occupational License, Level 3.**

Member Sullivan seconded the motion. The Board approved the motion unanimously by roll call vote.

PROPOSED COMPLAINTS AND DISCIPLINARY ACTIONS –

- Shannon M. Gillan – Occupational Licensee

General Counsel Fries stated that Ms. Gillan is a Level II Occupational licensee at the Empress Casino Joliet. She is employed as a Games Supervisor.

On April 25, 2010, a patron, well known to the empress table games staff, was playing blackjack by himself in the high limit area.

Ms. Gillan was the games supervisor responsible for that table.

An incident occurred during play wherein the patron past posted a bet. In other words, he tried to increase his bet after he saw the dealer turn over a face card. The dealer refused the increased wager. The patron demanded to be paid for both his original wager and for the attempted increase – an amount totaling \$2500. The dealer refused.

Ms. Gillan then came to the table. Empress Casino's Internal Controls required that a games supervisor, in that situation, notify surveillance to verify the claim. Additionally, if the amount in issue is over \$500, surveillance has to verify and the Assistant Casino Operations Manager must approved the payout.

Ms. Gillan did not contact surveillance or get approval from the Assistant Casino Operations Manager. Ms. Gillan ordered the dealer to pay the patron for both his original wager and for the increased wager.

Based on staff's investigation and recommendation, Member Sullivan moved **that the Board issue a Disciplinary Complaint against Shannon M. Gillan, an occupational licensee, due to her failing to follow Empress Casino's internal controls when she instructed a dealer to pay a \$2500 double down bet for a patron without getting the approval of the Assistant casino Operations Manager and without getting verification from surveillance.**

Further, Member Sullivan moved that **the Board suspend Shannon M. Gillan's occupational license for 7 work days without pay. Said action to take effect twenty-one (21) days from the date of service of the complaint unless the licensee files an Answer within that time period.**

Chairman Jaffe seconded the motion.

The Motion failed 3-2 on the following vote:

Chairman Jaffe – Yes
Member Sullivan – Yes
Member Winkler – No
Member Moore – No
Member Gardner – No

ADMINISTRATIVE HEARINGS/ALJ REPORTS -

- In Re: The Disciplinary Action of Myron Osborne DC-10-08

Pursuant to section 3000.1155 of the Adopted Rules, Member Gardner moved for **the adoption and entry of a Final Board Order revoking the Occupational License held by Myron Osborne and setting forth therein the basis for revocation.**

Member Sullivan seconded the motion. The Board approved the motion unanimously by roll call vote.

At 10:26 A.M. Member Winkler motioned to adjourn and Member Moore seconded the motion. All Members voted in favor of adjournment.

Respectfully submitted,

Mary C. Boruta
Secretary to the Administrator